

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY WAYNE CONTRERAZ,
JR.,

Defendant.

CR 20-89-BLG-DLC

ORDER

Before the Court is United States Magistrate Judge Timothy J. Cavan's Findings & Recommendations Regarding Revocation of Supervised Release. (Doc. 109.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan found, based on Defendant's admissions at the hearing, that Defendant violated three conditions of supervised release: the special condition

that he participate in substance abuse testing (Special Condition 6); the special condition that he participate in and successfully complete an outpatient program of substance abuse treatment (Special Condition 2); and the mandatory condition that he report to the United States Probation Office as instructed (Standard Condition 2). (Doc. 109 at 3.)

Judge Cavan recommends that this Court revoke Defendant's supervised release and sentence him to eight months imprisonment, followed by no term of supervised release. (*Id.* at 4, 7.) The Court finds no clear error in Judge Cavan's Findings and Recommendations and adopts them in full.

Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendations (Doc. 109) is ADOPTED in full.

Defendant shall be sentenced in conformity with Judge Cavan's recommendation in the judgment filed concurrently with this Order.

DATED this 10th day of May, 2025.



Dana L. Christensen, District Judge
United States District Court